

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-01897-BNB

STEPHEN THENE SPARKS,

Plaintiff,

v.

TEJINDER SINGH, Physician Assistant,
LISA HANKS, Nurse,
TED LAWRENCE, Physician Assistant/Acting Health Service Administrator,
MICHAEL AASEN, MD,
ROBBIE QUICK, Health Service Administrator,
TOM CLEMENTS, C.D.O.C. Director,
STEVE HARTLEY, Warden, and
COLORADO HEALTH PARTNERS, C.H.P.

Defendants.

ORDER TO DISMISS IN PART AND TO DRAW IN PART

Plaintiff, Stephen Thene Sparks, is in the custody of the Colorado Department of Corrections and currently is incarcerated at the Fremont Correctional Facility in Cañon City, Colorado. On July 20, 2012, Mr. Sparks, acting *pro se*, submitted to the Court a Prisoner Complaint pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1343, asserting that Defendants have deliberately denied him proper medical treatment. Mr. Sparks was instructed to amend the Complaint because he failed to assert personal participation by four of the named Defendants. On September 24, 2012, Mr. Sparks supplemented the Complaint. Based on the Complaint and the Supplement, the claims asserted against Defendants Tejinder Singh, Lisa Hanks, Ted Lawrence, Michael Aasen, Tom Clements, Steve Hartley, and Colorado Health Partners, seeking money damages and declaratory and injunctive relief, will be drawn to a district judge and to a magistrate judge.

Mr. Sparks, however, does not state a claim against Defendant Robbie Quick. The only claim Mr. Sparks asserts about Defendant Quick is that she attempted to correct Defendant Aasen's actions. Mr. Sparks must show how a named defendant caused a deprivation of her federal rights. See *Kentucky v. Graham*, 473 U.S. 159, 166 (1985). There must be an affirmative link between the alleged constitutional violation and each defendant's participation, control or direction, or failure to supervise. See *Butler v. City of Norman*, 992 F.2d 1053, 1055 (10th Cir. 1993). Nothing Mr. Sparks asserts about Defendant Quick states a deprivation of his federal rights.

Accordingly, it is

ORDERED that the Complaint and claims asserted against Tejinder Singh, Lisa Hanks, Ted Lawrence, Michael Aasen, Tom Clements, Steve Hartley, and Colorado Health Partners shall be drawn to a district judge and to a magistrate judge. It is

FURTHER ORDERED that Defendant Robbie Quick is dismissed from the action.

DATED at Denver, Colorado, this 16th day of January, 2013.

BY THE COURT:

s/Lewis T. Babcock
LEWIS T. BABCOCK, Senior Judge
United States District Court